



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/695,407	10/28/2003	Curt E. Beckmann	112-0113US	5641
29855	7590	06/29/2006	EXAMINER	
WONG, CABELLO, LUTSCH, RUTHERFORD & BRUCCULERI, L.L.P. 20333 SH 249 SUITE 600 HOUSTON, TX 77070			SUN, SCOTT C	
		ART UNIT	PAPER NUMBER	
		2182		
DATE MAILED: 06/29/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/695,407	BECKMANN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Scott Sun	2182	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 28 October 2003.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-36 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-36 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 28 October 2003 is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
     Paper No(s)/Mail Date \_\_\_\_\_
- 4) Interview Summary (PTO-413)  
     Paper No(s)/Mail Date. \_\_\_\_\_.  
 5) Notice of Informal Patent Application (PTO-152)  
 6) Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-36 are rejected under 35 U.S.C. 102(e) as being anticipated by Considine et al (PG Pub #2004/0117438).
3. Regarding claim 19, Considine discloses a network (figure 1) comprising: at least one host (clients) at least one storage device (storage) and a fabric (switch system 100; hardware shown in detail in figure 2; paragraph 76), the fabric comprising: at least one switch (switching in the IP 102, SP 104, and Fabric 106) for coupling to the at least one host and the at least one storage device (paragraph 76); and a storage processing device (SP processors 104 and IP processors 102 collectively) coupled to the at least one switch and for coupling to the at least one host and the at least one storage device (paragraph 77), the storage processing device including: an input/output module (various hardware shown in figure 2) including port processors (individual SP processors 104 and IP processors 102) to receive and transmit network traffic (paragraph 77), a switch coupling said port processors (switch 106) coupling said port processors, each port processor of said port processors including a node to receive and

transmit said network traffic (LRCs 132 and SRCs 134; paragraphs 79 and 80); dedicated hardware assist circuitry (any of other processors shown in figure 2) to perform first selected port processing functions, and an embedded processors (any of other processors shown in figure 2) and associated port processor firmware to perform second selected port processing functions (paragraph 81, 82).

4. Regarding claim 20, Considine discloses claim 19 and further discloses a control module (slow path processing engine and stack, paragraphs 933, 934) coupled to said input/output module, said input/output module (fast path engine and stack) directly processing the majority of said network traffic, and said control module processing a minority of said network traffic (paragraph 934).

5. Regarding claim 21-24, Examiner notes that Considine teaches various dedicated processors (figure 2, paragraph 78) each performing different functions.

6. Regarding claim 25, Considine discloses claim 19 and further discloses wherein the node is a Fibre Channel node (paragraph 80).

7. Regarding claim 26, Considine discloses claim 19 and further discloses wherein the node is an Ethernet node (paragraph 79).

8. Regarding claim 27, Considine discloses claim 19 and further discloses wherein the node is selectable (dual paths 110, 120) between an Ethernet node and a Fibre Channel node (paragraph 78).

9. Regarding claims 1-18, 28-36, Examiner notes that these claims are substantially similar to claims 19-27 above, differing in statutory category and having same or broader scope. Therefore the same grounds of rejection are applied.

Art Unit: 2182

10. Other publications are cited to further show the state of the art with respect to network storage processor with multiple specialized processors. Refer to form 892, "Notice of References Cited", for a complete list of relevant prior arts cited by the examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott Sun whose telephone number is (571) 272-2675. The examiner can normally be reached on M-F, 10:30am-7pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim N. Huynh can be reached on (571) 272-4147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SS

6/24/2006

KIM HUYNH  
SUPERVISORY PATENT EXAMINER

6/27/06